

1. SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input checked="" type="checkbox"/> \$ <u>490.00</u>	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 490.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

Enclosed is a check for the sum of \$ 2130.00.

Please charge Deposit Account No. _____ the sum of \$ _____.

Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 162201.

RECEIVED

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made please

OR

Credit to Deposit Account No. 162201

Send refund check.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.


 Signature(s) of Petitioner(s) _____ Date November 5, 2008

Nelson D. Nolte _____ 42938
 Typed or printed name(s) _____ Registration Number, if applicable

314-238-2468 _____
 Telephone Number _____

12412 Powerscourt Dr., Suite 200 _____
 Address _____

St. Louis, MO 63131 _____
 Address _____

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES:

Maintenance Fee payment

Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)

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OFFICE OF PETITIONS

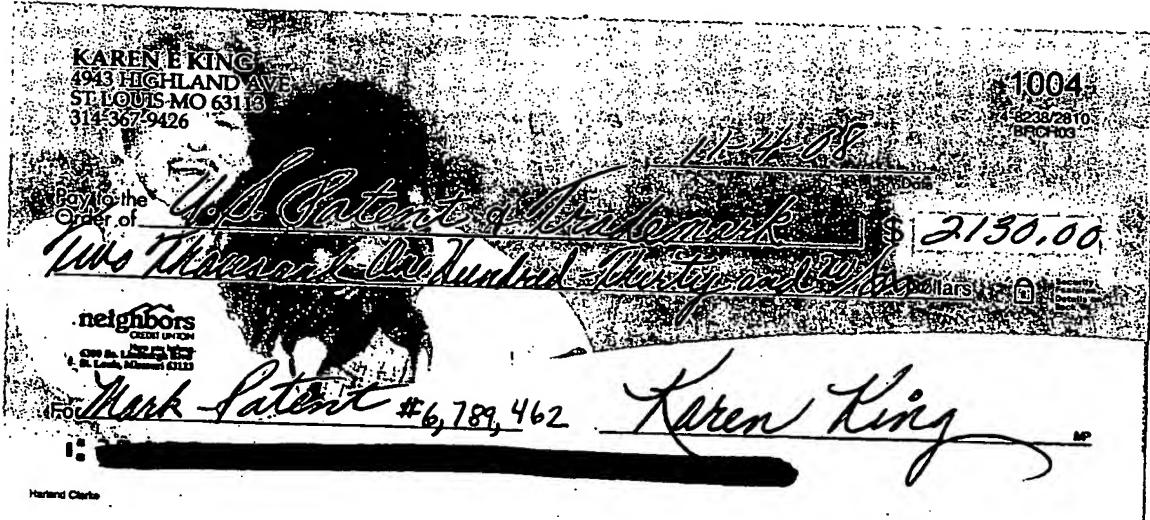
In re Patent of: Mark Hamilton
Application No.: 10/603,312
Title: BARBQUE GRILL
Patent No.: 6,789,462

Filing Date: 6/24/03

Kindly acknowledge receipt hereon of PTO/SB/45 (1 page),
PTO/SB/66 (3 pages), and check #1004 (Karen E. King) in the
amount of \$2,130.00.

NDN/rmm
HAMM 8409U1

Nov. 5, 2008





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PTO/SB/45 (10-08)

Approved for use through 04/30/2009. OMB 0651-0016
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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MAINTENANCE FEE TRANSMITTAL FORM
(Do not submit this form electronically via EFS-Web)

Address to:

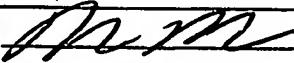
Director of the United States
Patent and Trademark Office
Attn: Maintenance Fee
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

- OR -

Fax to: 571-273-6500

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on November 5, 2008

RECEIVED

Signature 

Typed or printed name Nelson D. Nolte

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Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

- A check for the amount of \$ 2130.00 for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
- Payment by credit card. Form PTO-2038 is enclosed.
- The Director is hereby authorized to charge \$ _____ to cover the payment of the fee(s) indicated below to Deposit Account No. _____.
- The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Depositor Account No. 162201

* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5).

Item	Patent Number Column 1	U.S. Application Number [e.g., 06/555,555] Column 2	Maintenance Fee Amount (37 CFR 1.20(e)-(g)) Column 3	Surcharge Amount (37 CFR 1.20(h)) Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6,789,462	10/603,312	490.00	1640.00	X		
2							
3							
4							
5							
Subtotals: Columns 3 & 4		2130.00			<input type="checkbox"/> _____ additional sheets attached for listing additional patents.		
Total Payment		2130.00					

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, **

Customer's Signature 

Customer's Name Nelson D. Nolte

Telephone: 314-238-2468

Registration Number, if applicable: 42,938

Fax: 314-238-2401

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.388. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.